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BEFORE THE ARIZONA CORPORATION C  
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COMMISSIONERS

BOB STUMP - Chairman  
GARY PIERCE  
BRENDA BURNS  
BOB BURNS  
SUSAN BITTER SMITH

2014 OCT 29 P 2:03

Arizona Corporation Commission

DOCKETED

OCT 29 2014

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

DOCKETED BY

ORIGINAL

IN THE MATTER OF:

DOCKET NO. S-20909A-14-0226

ANTHONY RAY STACY (CRD#1772484), and  
APRIL STACY, husband and wife

Respondents.

**FOURTH**  
**PROCEDURAL ORDER**  
**(Grants Motion)**

BY THE COMMISSION:

On July 1, 2014, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Anthony Ray Stacy ("Respondent"), in which the Division alleged violation of the Arizona Investment Management Act ("IM Act") in connection with the execution of a promissory note or loan.

The Respondent was duly served with a copy of the Notice.

On July 25, 2014, Respondent filed a Request for Hearing pursuant to A.R.S. § 44-3212 and A.A.C. R14-4-306.

On August 1, 2014, by Procedural Order, a pre-hearing conference was scheduled for August 20, 2014.

On August 14, 2014, Respondent filed a Verified Answer to the Notice.

On August 20, 2014, a pre-hearing conference was held. The Division appeared through counsel and the Respondent appeared on his own behalf. The parties discussed scheduling a hearing and agreed on the date of October 29, 2014, which would accommodate schedules, allow Respondent sufficient opportunity to obtain counsel, and provide any newly obtained Respondent's counsel time to adequately prepare for the hearing. The schedule for filing an amended Notice, correcting a typographical error, and an amended Answer was also discussed. The Respondent confirmed his current mailing address as that used on his August 14, 2014 Verified Answer.

1 On August 20, 2014, by Procedural Order, a hearing was scheduled to commence on October  
2 29, 2014. It was further ordered that the Division would file an amended Notice by August 21, 2014,  
3 and the Respondent would file an amended answer by August 25, 2014.

4 On August 21, 2014, the Division filed its Motion to File Amended Notice of Opportunity for  
5 Hearing Regarding Proposed Order of Revocation, to Cease and Desist, for Restitution, for  
6 Administrative Penalties, and Other Affirmative Action and to Amend Caption ("Motion to File  
7 Amended Notice"). The Division requested leave to amend the Notice and included a proposed form  
8 of the Notice, as amended ("Amended Notice"). In addition to correcting a typographical error, the  
9 Amended Notice also sought to add the Respondent's spouse to the action solely for the purposes of  
10 determining the liability of the marital community.

11 On August 26, 2014, Respondent filed a Verified Answer to Motion to File Amended Notice  
12 of Opportunity for Hearing. The Respondent did not state an objection to the Division's motion, but  
13 rather provided an amended Answer to the proposed Amended Notice.

14 On September 9, 2014, by Procedural Order, the Division's Motion to File Amended Notice  
15 was granted. The Division was ordered to file the Amended Notice by September 16, 2014.

16 On September 10, 2014, the Division filed the Amended Notice. The Amended Notice added  
17 April Stacy as a Respondent. Pursuant to the Amended Notice, April Stacy ("Respondent Spouse")  
18 was joined solely for the purposes of determining the liability of the marital community.

19 The Respondents were duly served with a copy of the Amended Notice.

20 On October 6, 2014, the Division filed a Notice of Compliance with Procedural Order stating  
21 that the Division had submitted copies of the Division's witness list and exhibits to the Respondents  
22 on September 29, 2014.

23 On October 29, 2014, the Division filed a Motion to Continue Administrative Hearing. The  
24 Division moved to continue the hearing scheduled for October 29, 2014, because, according to the  
25 Division, the Respondents have executed a proposed Order for Permanent Revocation, Order to  
26 Cease and Desist, Order for Restitution, Order for Administrative Penalties and Consent to Same  
27 ("Proposed Consent Order") for consideration by the Commission at Open Meeting. The Division  
28 further avowed that the Respondents agreed with the request to continue pending approval or

1 rejection of the Proposed Consent Order by the Commission.

2 IT IS THEREFORE ORDERED that the hearing scheduled for October 29, 2014, is  
3 vacated.

4 IT IS FURTHER ORDERED that the hearing be continued indefinitely pending  
5 Commission approval or rejection of the Proposed Consent Order.

6 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized  
7 Communications) is in effect and shall remain in effect until the Commission's Decision in this  
8 matter is final and non-appealable.

9 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules  
10 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission  
11 *pro hac vice*.

12 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance  
13 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the  
14 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances  
15 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is  
16 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the  
17 Administrative Law Judge or the Commission.

18 IT IS FURTHER ORDERED that the Presiding Administrative Law Judge may rescind, alter,  
19 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
20 ruling at hearing.

21 DATED this 29<sup>th</sup> day of October, 2014.

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24   
25 MARK PRENY  
26 ADMINISTRATIVE LAW JUDGE  
27  
28

1 Copies of the foregoing mailed/delivered  
this 21<sup>st</sup> day of October, 2014, to:

2 Anthony Ray Stacy  
20865 North 90<sup>th</sup> Place, Suite 125  
3 Scottsdale, AZ 85255

4 April Stacy  
9233 East Canyon View Road  
5 Scottsdale, AZ 85255

6 Matthew Neubert, Director  
Securities Division  
7 ARIZONA CORPORATION COMMISSION  
1300 West Washington Street  
8 Phoenix, AZ 85007

9 COASH & COASH, INC.  
Court Reporting, Video and Videoconferencing  
10 1802 North 7<sup>th</sup> Street  
Phoenix, AZ 85006

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12 By: R. Unquera  
Rebecca Unquera  
13 Assistant to Mark Preny  
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